



Order Filed on July 15, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Jones & Jones  
45 Essex Street  
Hackensack, New Jersey 07601  
(201) 487-3600  
Attorneys for Spencer Savings  
Bank, SLA

/s/VINCENT J. MASSA III, ESQ.  
Vincent J. Massa III  
Identification No. 1085

In Re:

Marianne McElroy and Robert M.  
McElroy,

Debtor

CASE NO. 19-22958 CMG  
CHAPTER 13  
Hearing Date: 07/15/20  
Judge: Hon. Christine M.  
Gravelle, USBJ

**CONSENT ORDER RESOLVING  
CREDITOR'S CERTIFICATION OF DEFAULT**

The relief set forth on the following pages numbered two (2) and  
three (3) is hereby **ORDERED**.

**DATED: July 15, 2020**

  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

(Page 2)

Debtor: Marianne McElroy and Robert M. McElroy  
Case No.: 19-22958 CMG - Chapter 13  
Caption of Order: **CONSENT ORDER RESOLVING CREDITOR'S CERTIFICATION OF  
DEFAULT**

AND NOW, this                      day of                      , 2020, the Court finds that this matter being opened to the Court upon the Certification of Default filed by Jones & Jones (Vincent J. Massa III, Esq., appearing), attorneys for the secured party, Spencer Savings Bank, SLA ("Spencer"), with the consent of Norgaard, O'Boyle & Hannon (John O'Boyle, Esq., appearing), attorneys for the Debtors, Marianne McElroy and Robert M. McElroy, under Bankruptcy Code section 362 for relief from the automatic stay as to certain real property commonly known as 75 Baywood Boulevard, Brick, NJ 08723 (the "Property"), and for cause shown,

ORDERED AS FOLLOWS:

1. The subject Certification of Default is Withdrawn.

2. In the event Debtor shall fail to pay within thirty (30) days of when due any future mortgage payment due Spencer, or fails to pay within thirty (30) days of when due thirty (30) days of when due any future payment provided for in paragraph 2 hereinabove, Spencer shall be entitled, seven (7) days after the filing and service to Debtor, Debtor's counsel and the Trustee of a Certification of Default, to an Order Vacating Stay as to Real Property.

3. Debtor shall pay as counsel fees to Spencer the sum of \$500.00 through the Plan.

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(Page 3)

Debtor: Marianne McElroy and Robert M. McElroy  
Case No.: 19-22958 CMG - Chapter 13  
Caption of Order: **CONSENT ORDER RESOLVING CREDITOR'S CERTIFICATION OF  
DEFAULT**

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4. That a copy of this Order be mailed to counsel for the Debtor  
and to the Trustee within days of the date hereof.

We hereby consent to the form and substance of this Order:

JONES & JONES  
Attorneys of Secured Creditor

DATED: July 10, 2020 /s/ VINCENT J. MASSA III  
VINCENT J. MASSA III, ESQ.

Norgaard, O'Boyle & Hannon  
Attorneys of Debtor

DATED: July 10, 2020 /s/ JOHN O'BOYLE  
JOHN O'BOYLE, ESQ.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New Jersey

In re:  
Marianne McElroy  
Robert M. McElroy  
Debtors

Case No. 19-22958-CMG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 15, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 17, 2020.

db/jdb +Marianne McElroy, Robert M. McElroy, 75 Baywood Boulevard, Brick, NJ 08723-6961

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 17, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 15, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
John O'Boyle on behalf of Joint Debtor Robert M. McElroy joboyle@norgaardfirm.com,  
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com  
John O'Boyle on behalf of Debtor Marianne McElroy joboyle@norgaardfirm.com,  
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com  
Rebecca Ann Solarz on behalf of Creditor MidFirst Bank rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
Vincent J. Massa, III on behalf of Creditor Spencer Savings Bank vmassa@jonesandjonesesq.com  
TOTAL: 7